

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VICTOR VENSON,

Plaintiff,

Case No. 1:08-CV-818

v.

Hon. Robert J. Jonker

PHIOTECHNICS, LTD.,

Defendant.

/

ORDER GRANTING MOTION TO COMPEL

Pending before the court is Defendant's Motion to Compel Discovery (docket no. 18). No opposition has been filed in response to this motion. Accordingly, the motion is GRANTED and the hearing scheduled for Thursday, February 26, 2009, at 10:00 am. is CANCELLED. Plaintiff shall, within fourteen (14) days of the date of this order, provide full and complete answers to interrogatories 6, 7 and 8 as identified in the motion, without further objections. The request for an order dismissing this matter with prejudice is DENIED.

Further, defendant is entitled to reasonable expenses including attorneys fees. Accordingly, if the parties cannot agree upon this amount within the time allotted for filing the required answers, the defendant shall, within twenty-one (21) days of the date of this order, file an affidavit and supporting documents justifying its expenses and attorneys fees. Plaintiff shall have seven (7) days after receipt of this affidavit to respond in kind. The court will determine the costs based on the papers but reserves the right to schedule a further hearing if necessary. Rule 37(a), F.R.Civ.P.

IT IS SO ORDERED.

Dated: February 25, 2009

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge